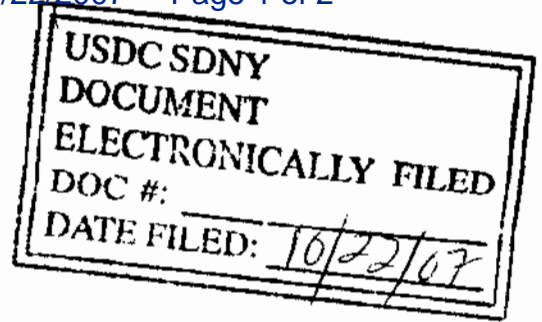


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK



-----X  
THE ANNUITY, WELFARE, APPRENTICESHIP SKILL  
IMPROVEMENT & SAFETY FUNDS of the  
INTERNATIONAL UNION OF OPERATING ENGINEERS,  
LOCAL 15, 15A, 15C and 15D, AFL-CIO, by its TRUSTEES  
JAMES T. CALLAHAN, WILLIAM H. HARDING,  
FRANCIS P. DIMENNA and ROBERT SHAW, and JOHN and  
JANE DOE, as Beneficiaries of the ANNUITY, WELFARE and  
APPRENTICESHIP SKILL IMPROVEMENT & SAFETY  
FUNDS of the INTERNATIONAL UNION OF OPERATING  
ENGINEERS, LOCAL 15, 15A, 15C and 15D, AFL-CIO,

**ORDER TO SHOW  
CAUSE FOR A  
DEFAULT JUDGMENT**

07-CIV-6156 (LAP)

Plaintiffs,

-against-

NAMOW, INC.,

Defendant.  
-----X

Upon the annexed Application for a Default Judgment including the Affidavit of James M. Steinberg, Esq. sworn to on the 15th day of October, 2007, and the exhibits attached thereto, it is

**ORDERED** that Defendant NAMOW, INC. show cause before the Honorable Loretta A. Preska, at the United States District Courthouse, located at 500 Pearl Street, Courtroom 12A, New York, New York on the 9<sup>th</sup> day of November, 2007, at 9:30 a.m./~~p.m.~~ or as soon thereafter as counsel can be heard why an order should not be made herein for the entry of a Default Judgment against Defendant NAMOW, INC. pursuant to Rule 55(a) of the Federal Rules of Civil Procedure as follows: (a) an Order requiring the Defendant to cooperate in the performance of an audit by Plaintiffs, by providing all requested books and records which are relevant to whether there has been a deficiency in the required fringe benefit contribution

payments; (b) an Order requiring the Defendant to pay any determined deficiency within thirty (30) days of receipt of notice of the deficiency from the Plaintiffs along with (c) interest from the date on which such deficiency came due, at the prime rate of 7.75% plus one percent and (d) statutory damages in the form of interest from the date on which such deficiency became due at the prime rate of 7.75% plus one percent of the scheduled deficiency amount; (e) an Order requiring the Defendant to pay the costs of said audit; and (f) an Order awarding the Plaintiffs attorneys' fees in the amount of \$1,638.75, along with costs in the amount of \$515.00, together with such other and further relief as this Court may deem just, proper and equitable.

**IT IS FURTHER ORDERED** that service of a copy of this Order *via* express overnight mail service, along with the Plaintiffs' Application for a Default Judgment and of the papers upon which the same is granted, on Defendant NAMOW, INC. at 84-22 Grand Avenue, Elmhurst, New York 11373, on or before October 23, 2007, shall be sufficient service of this

Order. *and IT IS FURTHER ORDERED that opposing papers shall be served, by hand, fax or email, or counsel no later than November 5; reply papers, if any, shall be served in the same manner no later than the close of business November 8. Courtesy copies in hard copy shall be delivered to chambers at or about the time of service.*

Dated: New York, New York  
October 19, 2007

**SO ORDERED:**  
*Loretta A. Preska*  
The Honorable Loretta A. Preska, U.S.D.J.